[XXXVth Year.] THE [No. 1735.]

MARYLAND GAZETTE.

FRIDAY, APRIL 14, 1780.

To the PEOPLE of MARYLAND.

NUMBER III.

THE power of punishing offences, which are merely so, because they are prohibited by the laws of society, in the state of Maryland, is founded on the contract contained in the declaration of rights and the form of government.

To this government is also transferred the right of punishing offences against the law of nature, which every individual, in a state of nature, would possess, and which is clearly derived from the principle of self-preservation. It is this alone which can justify capital punishment. Wherever the necessity of enforcing a law by the death of the transgressor, is not dictated by this ruling principle, I make no scruple of denying the right of a legislature to take away the life of a human creature.

That it is not vested in them by the consent of individuals, in the original compact, is evident, since man, having, by the law of nature, no power over his own life, cannot vest that power in others; it is therefore worthy of consideration, how far a legislature may incur the guilt of murder, by inflicting capital punishment, for the breach of a positive law,

An excessive severity is moreover so repugnant to common sense, that, in a government like ours, the transgressor frequently escapes with impunity; for this reason, the penalties denounced carry not half the terrors of a much milder, but certain, punishment.

That the criminal law is every where more imperfect than the civil, may be ascribed to several causes.

The establishment of civil rights, and the regulations of property, are matters which deeply interest every member of the community; when a defect therein is discovered, and generally acknowledged, the remedy is applied. The civil law, therefore, in all free governments, approaches nearer to a state of perfection.

Penal laws are frequently enacted, when the passions are inflamed by a recent transaction; a perpetual law is sometimes applied to remedy a temporary evil; but the grand cause of the imperfection in the penal laws is this, they are framed by the rich and powerful, and contrived principally for their own security; most of the offences are of such a nature, that they conceive themselves exempt from a possibility of incurring the penalty; a man can seldom judge with propriety, unless he can bring the case home, and examine it by the touchstone of his feelings; if a law were proposed, to punish simple fornication by death, there is not a man who would not reject it with anger and disdain; but appeal to a wealthy citizen for his sentiments, with respect to the punishment of a nocturnal thief, and he will tell you at once, that property can never be secure, unless such invaders are cut off from the face of the earth. Hence it is, that truth and justice, the feelings of humanity, and the indefeasible rights of nature, are so often violated by sanguinary laws.

The intention of human punishment is not to revenge the injury which an individual sustains, or to oblige the offender to expiate the public wrong; it is to caution him against future crimes, and to deter others, by the dread of an example.

From what has been said, may be collected this rule, *that every punishment should be justifiable by the law of nature, and the original contract; that it should be proportionate to the offence, and be the most likely to produce the end proposed; which is the safety of the community, and of every individual.*

By this standard, I purpose to examine some parts of our penal law.

For the crimes of murder, and high treason, the penalty of death is denounced; and, I think, in these cases the legislature has not exceeded its warrant. He that sheds man's blood, upon cool, deliberate malice, is guilty of a crime, which strikes at the very being of society. High treason, as defined by our treason act, is an offence tending to introduce every evil which society was instituted to guard against; it is a crime of deeper malignity than simple murder. Counterfeiting bills of credit, and other paper currency, has an evident tendency to weaken or destroy the means of carrying on the war; this crime, and the offences against the "act to punish certain crimes;" passed in October 1777, partake largely of the nature of treason; the punishment in all these cases is dictated by the first principal in the law of nature.

The secret and malicious burning of dwelling houses, or vessels in which a human creature may probably be in danger of perishing, requires the utmost depravity to perpetrate, and calls for as signal a punishment as murder itself. The burning or destroying of court houses, churches, magazines, and other public buildings, implies a diabolical malice against the whole community; it is nearly allied to treason, and should be punished with equal severity.

As to what is called the *crime against nature*, I will not shock the reader's delicacy, by dwelling a moment upon the subject; the voice of reason determines the punishment to be capital.

In the disgusting catalogue of capital offences, the crimes I have mentioned scarcely constitute a tenth; but in none, except these, do I think the penalty of death conformable to the rule before laid down.

If my *memory* does not deceive me, the marquis Beccaria denies the right of capital punishment; because it is not fairly derived from the original compact. He also contends, that the execution of a criminal does not operate so powerfully by way of example as some other punishments, which might in another view contribute to the benefit of the public.

With due submission to an authority, so much revered by every humane, intelligent, mind, the right, as I before remarked, is derived from a higher source, from the universal principle of self-preservation, which directs us to secure our safety, by the death of that transgressor, who manifests a disposition, beyond the power of human correction, or the probability of amendment. This pravity of soul must be imputed to a murderer, and the general sense of mankind, when it is not hardened by scenes of blood and slaughter, condemns him; in whatever situation you might place him, unless he were totally deprived of the exercise of his will, you might dread a repetition of his crime; to reduce him to that condition, would be far crueller than the loss of life; it is therefore necessary for society, and better for himself, that he be dismissed from a world, in which he no longer deserves to remain.

With respect to examples of superior efficacy, notwithstanding the ingenuity of the amiable author, who sets down the secret reasonings of a man, when about to perpetrate the blackest of crimes, I must freely declare my opinion, that no human sanctions will restrain him who can argue down the fear of death.

These reflections have, with difficulty, reconciled me to the idea of capital punishment. I am still shocked at the manner, directed by the terrible sentence in high treason; it may be milder than the wheel, or other infernal engines, invented in some countries in Europe, but every enlightened mind considers these as a disgrace among civilised nations.

That this sentence of the law has been so often mitigated by the dispensing power, is an argument for confining it to the single part of *suspension*; which is the only mode of capital punishment I wish to be known by our laws; it is the most simple, the easiest, and the most conspicuous.

Corruption of blood, and forfeiture, by the common law of England, which is the law of Maryland, wherever it has not been altered by *statute*, are consequences of treason and felony; they are perhaps intended to restrain a man by his passions and affections. The reflection, that his conduct may involve his beloved offspring in misery and disgrace, in the moments of cool deliberations, may operate almost as powerfully as the fear of death; but is that species of punishment, which falls not upon the criminal, but his innocent dependents, consistent with the ideas of justice and humanity? To say, that they should be interested in keeping him within the bounds of his duty, is too pitiful a sophistry to convince a rational enquirer.

If the forfeiture of property ought to be added to the capital punishment in *treason* and *murder*, I conceive, it should be with this restriction, that it shall not take place to the prejudice of a guiltless wife or children.

The distinction between a fine and forfeiture is obvious. I would not be understood to deny the propriety of fines, on the same principle of their affecting innocent persons; they are well adapted to the nature of some inferior offences; injurious consequences to the family of the delinquent are unavoidable in every kind of punishment.

Corruption of blood is so replete with absurdity, that I am persuaded it was owing to an oversight, that the doctrine was not exploded by the 24th article of the declaration.

In this place, I solicit the readers attention to the third article in the declaration: "the inhabitants of Maryland are entitled to the common law of England, and the trial by jury, according to the course of that law, and to the benefit of such of the English statutes, as existed at the time of their first migration, and which by experience have been found applicable to their local and other circumstances, and of such others as have been since made in England or Great-Britain, and have been introduced, used, and practised, by the courts of law or equity," &c.

If at any time I am guilty of a mistake in matters of law, the candid reader will be inclined to pardon, when he reflects how difficult it is for any one man, or even the whole fraternity of lawyers, to ascertain how much of the common law, and what English statutes, or parts of statutes, have been extended to this state by the practice of the courts.

The matter rests at the discretion of the judges. But to what record, or memorial, must they resort, for a guide to their decisions? In this respect we labour under the deplorable disadvantage of a vague and incertain law.

Is it not therefore the indispensable duty of the legislature, unless they mean to institute an entire new code of penal law, to declare the law, otherwise than by general, unmeaning terms? Such an act would relieve the judges from a miserable perplexity; would prevent suits and contentions; and, in every case, destroy the plea of unavoidable ignorance, which, in a court of conscience, might frequently be urged with success.

If in so great and national a concern, the emoluments of lawyers should be thought worthy of attention, I would cheerfully consent, that the same act should make each of them a *compensation*, to be estimated by his age, his reputation, the extent of his practice, and other circumstances.

A REPUBLICAN.

For the MARYLAND GAZETTE.

NUMBER V.

IT is the language of the king of Great-Britain, that "trusting in divine Providence, and in the justice of his cause, he is firmly resolved to prosecute the war with vigour, and to make every exertion, in order to compel his enemies to listen to equitable terms of peace, and accommodation." It is to be considered what are those terms of peace and accommodation which he will call equitable: Not certainly, that France shall continue in alliance with these states; or that these states shall retain their independence; but, that France shall withdraw, and leave them to their fate as before the alliance; that they shall fall back under the dominion of Great-Britain, and be subject to her laws. These are the terms which, in the judgment of his mind, he will call equitable. Driven from these, he will probably descend, and admitting the independence of some states, insist for a dominion over the remaining. From a paragraph of a very extraordinary nature, in the Baltimore journal, it would appear, that proposals of this kind have already originated in the British cabinet; and that "relaxing gradually, they will propose independence to eleven colonies" (as they still affect to stile them) excepting "Georgia and Carolina on the south."

This proposal will be inadmissible with the Americans. The whig inhabitants of Georgia, Carolina, and New-Hampshire, have a claim to liberty from nature, and from these

states, who have plighted "faith and sacred honour" to support them. The whig inhabitants of the extreme states, have a double claim to liberty, from their birthright as men, and from their spirit in entering into the confederacy, and the valour with which they have contended in the war.

It was but a common ground of praise, that the inhabitants of the middle states, strong by the assistance of each other, and bound up in the center, have braved the enemy. The praise of the extreme states is singular, who, though far removed from the main force of the confederacy, have acceded, and still adhered to it; nay, who have evinced a spirit both in sustaining danger, and in repelling the enemy, that thus outdone the best exertions of the middle states. The inhabitants of Georgia have been ever foremost in devising measures, against the enemies of their country; not a single *sonjuror* has been left amongst them, but obliged to depart, and remain with their friends the British. The whig mind of these states is of the *tenth quality*; it boasts a superior *metal*, and is to be mentioned first, when we reckon up the merit of distinguished virtue.

Shall we relinquish these states, and leave them to fall back under the dominion of Great-Britain? Shall we leave the brave inhabitants to suffer the indignity of a subjection to the tyrant? Shall we leave them to bear the injuries of the insulting foe, gibbets elevated on the plains where they have fought, or scaffolds, not far distant, streaming with blood? Let not the enemy flatter themselves with this expectation; for sooner shall the whole perish, than *one state shall be dismembered from it.*

The interest of the whole opposes the idea; for the enemy possessing Georgia, Carolina, or New-Hampshire, and uniting these to the Floridas, Nova-Scotia, and Canada, which they will fill with emigrants from their own and from other countries, where despotism reigns, and, to the enslaved minds of whose inhabitants it is agreeable, would have it in their power to environ these states, and exciting insurrections of our negroes, and forming a league with the savages, their natural allies, might exist, like the Jebusites among the Hebrews, a "thorn in our side," and give perpetual uneasiness; perhaps with the assistance of the disaffected amongst ourselves, might entertain the hope, in coming time, to seduce other states from the union, and by open, or by covert means, to subvert our liberty. These circumstances render it advisable, not to much to reject the idea of a dismemberment, as to act with that firmness and vigour, the ensuing campaign, that the enemy, expelled from these states, shall not have the effrontery even to propose it.

That the enemy, possessing Georgia and the Carolinas, with what they will call the loyal colonies of the two Floridas, may have it in their view to make war upon the Spaniards, and indemnify themselves, at their expence, for the losses, which, through the means of France and Spain, they have sustained in North-America, is not impossible; but that these states, even on condition of immediate peace, could take any part in that war, nay, that they could be *neutral*, as in the paragraph of foreign intelligence*, to which we have had a reference, is suggested to be the expectation of the enemy, is impossible. The body of a free people, though oftentimes mistaken in their judgment of men and particular measures, yet in the great outlines of right and wrong, cannot be so mistaken; and meaning what is right, they will, on matters of great and visible magnitude, determine justly. What! shall these states assist Great-Britain to make war upon the Spaniards, who, indirectly, by their connection with the monarchy of France, are in alliance with us, and have, directly, contributed to our independence, by making war upon our enemies? It is equally probable that we shall assist Great-Britain to make war upon the planet Mercury, or that, in conjunction with her, we shall invade Saturn. These states, bound in a confederacy, will eternally be strong, and capable to resist impressions; but are not of a nature to extend empire. Britain will have nothing to hope from our assistance against Spain; she will have every thing to dread from our friendship to that nation. Delivered from oppression, in some part, by her means, shall we co-operate with the resentment of our enemies against that branch of the house of Bourbon, which, on this very account, is rendered obnoxious? shall we hesitate to afford assistance, should our enemies, on that account quitting the soil of the states, carry the war into the territories of Spain in North-America? It is not to be supposed; and the minds of the people of this country will revolt from the proposition.

AN ANTI-ANGLICAN.

* *Paragraph in the Baltimore journal.*

For the MARYLAND GAZETTE.

MANY things have been said, in the public papers, in answer to certain publications, under the signature of a senator; some supposing that he might be a Senator, others denying that he was one; some replying to him as in earnest, others considering him as in jest and as having it in view, only to burlesque the reasonings in use against the confiscation bill; others of opinion, that though unconvinced himself, he might be willing to convince others, and, to shew his ingenuity, had set forth *paradoxes*; more still, and amongst these, a writer, under the signature of *an Independent Whig*, and another under that of *Cujus*, believing that he might be some unfortunate gentleman deprived of reason, or, in other words, *stark-mad*. The like difference of opinion has divided the common people, who, during a great part of the winter, have been at loggerheads, in conversation, to determine whether he meant by *Caius's cafe*, to prove them *British subjects*, or, by his reasonings against confiscation, to make them really such. But a still greater evil occasioned to the world, is the *scraping* of certain writers of the *rat tribe*, in the Maryland journal, who mistaking the common law and law of nations for Cheshire cheese, and preying on Calvin's case, the reasonings from which have been a thousand times parodied, burlesqued, ridiculed, refuted, reprobated, and exploded, have kept the whole country awake, thirty miles round, for several months past, gnawing bits, not in the least degree applicable, from several authors*, growling over what they had stolen from these, and making as much noise as a dozen score of rats in the ceiling of an old vessel.

These *sorry animals* would do well to lie quiet, otherwise *rats-bane* will be laid for them, and they will be made to swell and burst by the digestion of their own productions. Were it not that a man would scorn to turn *rat-catcher*, but upon the most extreme necessity, they would have been put to death before this time. If rats-bane should fail, a thousand cats may be got, who are enemies to rats, and will never suffer this generation to infest the earth, as they did the island of Samos, before Apollo commissioned certain of the *tabby* breed amongst them.

But to silence this *scraping* effectually, and at the same time, to put an end to all that betting which has taken place, and to all that jarring of opinion, both in conversation, and in writing, relative to the author, and intention of these publications, or, what is a more cogent reason, to relieve the honourable the senate from the imputation of having had a member of their body, who could write in that manner; and, what may be also requisite, to take away any bad impressions which these publications, however inconsistent and absurd, may have made upon the minds of weak persons, it is proper that we pull off the mask, or, to use a phrase known to the common people, *let the cat out of the bag*, that is, to relate, in plain language, in what manner, and from what hands, these publications came into the world.

The truth then is, that they have been written neither by a Senator, nor by one who was not a Senator, a *mirthful* man, a *paradoxical* man, a *mad* man, nor *any* man, nor even an hermaphrodite, nor a female, but by a set of men in this city who constitute a FOX-HUNTING *club*.

These men, returning from the chace, and appointing a president, a prosecutor, a secretary for private, and a secretary for foreign affairs, a master of ceremonies, a knight champion, and poet laureat, indulge loud and unfettered mirth, and having drank freely, spend the evening in the manner that fox-hunters are wont to do. On one of these occasions it was, that the subject of the confiscation bill, to use their own language, was *trailed*, and several of the club having attended in the gallery, while it was debated, during the last session, in the house of delegates, and having heard of the message of the senate, giving their reasons for rejecting it, which had happened, indeed, but a few weeks before, were willing to shew their knowledge of the question, and *unkennelling* the argument, and following on the part of the senate the opinion which had *broke cover*, that it was *unjust, impolitic*, and *unnecessary*†, they *bark to him*, and in *rallyho* of the debate, canvass every objection in full cry, coming in at *the death* of the *traitor* argument it was agreed to commit their thoughts to writing. Accordingly they *pillo* each his part, and putting down these on scraps of paper, they are thrown into a hat, by way of ballot. The president invented all the particulars which relate to the law of nature and nations; the professor clubbed Calvin's case; the secretary for private affairs produced invectives against the *test law*; the secretary for foreign affairs objected all those matters which relate to Britain, making it a *preliminary* to restore the confiscated property, or to France and Spain labouring at the same effect, in a peace to be negotiated; the master of ceremonies offered all those apologetic softenings, as, *though my knowledge of the subject is but small*, and the like; the knight champion claims all those sentences of a threatening shew, which respect the consequences of the delegates persisting in the measure; the poet laureat fancy in several ends of verse, but these being mixed with the prose, are not to be distinguished from it, for the hat being shook, and the *scraps* of paper huffled together, like black and blue pease in a Roman urn, it was sent to the printer, who being a merry fellow, printed the contents as they came to hand, drawing them out like names and characters on a Valentine's day, or like tickets from the wheels of a lottery, until the whole was produced, not, I confess, in excellent order, as the world formed by Epicurus's atoms, but in confusion, like the original chaos, the dry elements contending with the moist, and the light with darkness. It was thought proper to affix to it the signature of a Senator, and as supposing (I presume) that, in this disordered state, any resemblance could be traced between it, and the last message of the house of Senators, but because it seemed to be in support of their opinion.

It is not to be supposed that even in the original scraps, taken individually, there could be much to the purpose, if we consider that fox-hunters are a class of men, not, usually, much burthened with understanding, for having their intercourse chiefly with hounds, woods, horses, and foxes, what opportunities have they to be improved? If we consider the original materials, and the first formation of these publications, we shall not wonder at that obscurity, inconsistency, and contradiction, which appear through the whole: we shall rather transfer our admiration to the circumstance, that several things, such as Cains, Candour, Veritas, A Planter, Agrarius, and others, in the Maryland journal, could think it reasoning, and deep in to support it. It will be also ground of amazement, that so many writers of greater weight and dignity have drawn their pens against it, as many supposing that it was by a Senator, and intended for a serious argument. These have drawn themselves up in advanced party, flying army, wings, &c. while the main battle and the corps de reserve, do not seem yet to have appeared. The Sentry, the Soldier, the North-Briton, the Indian, the Watchmaker, the Well-intentioned Reader, Publicola, the Plebean, an Independent Whig, a Delegate, Pym, Cujus, Philo-Senator, &c. might have spared themselves the trouble of those strictures, either serious or ironical, had they known the origin of these performances. The members of the club have been the only persons who, in the mean time, have been well entertained, hearing the debates of every kind, and seeing the writings in the papers which their jocose stratagem had occasioned. But the matter being now explained, and the bill passed by the senate (which, by the bye, is an evidence that no member of the senate ever wrote against it) it is expected there will be an end to all controversy on this head, and the world relieved, as well from those who have appeared in favour of the bill, as from the *Smythian race*, in the

* *A piece, under the signature of Cains, consists entirely of small scraps from Montesquieu, Elden's prize laws, and other writers, resembling dean Swift's critical essay on the faculties of the human mind.*

† *Necessity has been called the tyrant's plea, which is an evidence that it is oftentimes a just ground of action, otherwise the tyrant would not plead or make a pretence of it. In the present case it has been fully pleaded, for though we might have been clement to our enemies, if we could consistently have afforded it, yet not having it in our power to preserve our own liberty, and reform to them their property, it became necessary to confiscate it.*

‖ *The only thing remaining to complete the argument on the part of the advocates for the bill, was the laying down more fully the principles on which it is founded, from the laws of nature, the laws of nations, and the practice of civilised states in Europe, and the states on this continent, (the greater part of which, contrary to what has been asserted, have confiscated the property of their enemies to the full predicament with that in this state); and at the same time to consider the policy of the measure, and the necessity of it, as being a proper reprisal for carrying on the war. There is reason to believe that a series of papers on this subject had been resolved by the Delegates, which the passing of the bill has rendered unnecessary.*

¶ *It is called by the Greeks from the name of Smythus, author thereof.*

…ore journal, who, in the mode they have … have not equalled the disjointed scraps of … which they have affected to suppose … have sufficiently disgraced, by their corro…

…polis. PINTS.

…though, in order to chastise these performances … of insinuations against particular men, … unnecessary address to the prejudices of the … people, in the present case wholly groundless, … at the same time, to prevent their bad impression … minds of persons, who might laugh, but could … reason; it has been thought proper to treat them … least severity of ridicule, yet we do not entertain … an idea of them wholly unfavourable. They … your ability, both in the stile, and matter of … and their inconsistency arises more from the … of the cause which they advocate; than from … other principle. The greatest men have been … led into absurdities, when, from being placed in … wrong part of the prospect, or from other causes … they have supported error. That these publications … are of a nature to serve the cause of our enemies … we have no doubt, but do not believe that they … so intended. We are induced from candour to … these acknowledgments, that, as the debate is … at an end, every character may stand fair; … gentlemen who, in future time, may have it in … power to serve the state, may not be essentially … hurt in their reputation, by remarks unfavourable … to them either as whigs, or men of ability. … unanimity amongst all who profess a friendship for … our country, is at this time necessary, and it is to … be hoped that this matter being now settled, there … will be no more jarring between our public bodies … with respect to measures in question. Those writers, … nevertheless, which have appeared in the Baltimore … Journal, we still consider as vermin, and both from … their servilism, and weakness, they have discovered, … are beneath regard.

the MARYLAND GAZETTE.

NUMBER VI.

…HARMED with the success which the … ministry of England may have had in com… mitting the affairs of Ireland, it is not impossible … they may propose the same terms to America. … paragraph from a London paper announces … The terms proposed are said to be, "that … America shall be put on the same footing as … Ireland, by the late concession; to have a parliament, … and a general governor, with a house of … peers, which are not to exceed a limited number; … the appointment of governors of provinces, … forts, to be in the crown."

…Ireland, once a conquered kingdom, and … groaning under a heavy bondage of op… pression, may think herself fortunate in being … suffered to aspire to the least dawn of liberty; but … this country, who is already in possession of … the dawn, throw herself back to a situation from … which it shall be her greatest merit to aspire to … Ireland, in the region of a burning kingdom, … think herself fortunate in being able to ob… tain the least libation of the cool stream; but … this country, who has no Hecla in her neighbourhood, may promise to herself, with a little … perseverance, the full tide of freedom. Ireland … may be in a situation tolerable for the present; … she cannot hope to enjoy those privileges … long, which it will eternally be the interest of … a more potent kingdom to destroy. Shall … America accept the like privileges, when, to … maintain them, she will also, one day, be under … the necessity of fighting that ground over which … she has already gained in the present war? Shall … she accept offers, which are made by England, … neither from a spirit of equity, nor by a sentiment of moderation; but because, having stained … herself with blood, unsuccessfully, the continent, … in the space of five years, she is, at last, convinced of the impossibility of reducing it to slavery, and believes it more expedient, for the … present, to disguise the chains, which she medi… tates to impose upon it, in the expectation, that … the inhabitants, weary of the war, will be disposed to submit? But is it possible, she can … have so improperly of a people, virtuous and … valuable, as to imagine they will not discover, at … the first glance, a snare so ill laid; and perceive, … that it is nothing more than "governors appointed by the crown," and troops which, may … one day, will be ordered to protect these states; … that will be our protectors, as jailors to those in … confinement. England, can she believe, that … after five years of an honourable and happy war, … the Americans will accept conditions, they … could have rejected at the commencement of the … dispute? They will have the privilege to tax … themselves, and this privilege will be exercised … under the cannon of the citadels, and in the face … of the British governors, and mercenary Hessians. This will be in the manner of an African … despot, who would say to his slaves, "I give … you authority to bring your contributions to my … coffers; but if there are not sufficient, my life-guards have their sabres fitted over you, and will … find means to excite your generosity."

If our enemies have really formed this intention with regard to the Americans, it is not because they flatter themselves, in any degree, that they will succeed. Intestine divisions would be the inevitable consequences; America would be the theatre of a bloody war between the friends of liberty on the one part, and the partizans of the British government on the other. The only object which the administration could possibly have in view, in making these proposals to the thirteen states, is the expectation of being able to support the still balancing affections of their adherents; of deceiving their credulity, prolonging the evils which have had a place the past year, and of rendering, as without shame they have declared, this fine country one entire desert, convinced of the impossibility of being able any longer to monopolise its advantages. This conduct brings to my mind the horrid practice of the Bramins and priests of India, whose jealousy for their wives extends beyond the tomb; and when they die, these unfortunate victims are burnt alive, or thrown into the same earth, with their barbarous husbands.

AN ANTI-ANGLICAN.

LONDON, *Dec.* 14.

THE Dutch ambassador has given notice to all persons in the naval or military line, subjects of the republic, to return home immediately, to resume their employments in the service of their own country.

Summonses are issued for a council to be held at St. James's on Wednesday next, said to be on the consideration of the propositions of terms of conciliation with America.

The terms proposed are said to be, that America shall be put on the same footing as Ireland is by the late concessions; to have a parliament, and a general governor, with a house of peers, which are not to exceed a limited number; the appointment of governors of provinces and forts to be in the crown.

The first business on the meeting of parliament, it is said, will be to enter on the foregoing, which is said to be in a state of more forwardness than most people think of.

The late concessions of Great-Britain in favour of Ireland will be attended with the most happy consequences to both countries, and likely to be productive, in a great measure, to a reconciliation with the colonies; at least it must help to forward the great work of uniting all parties.

Jan. 4. Yesterday about noon, captain Marshall, of the navy, arrived at the admiralty, with dispatches from commodore Fielding, the contents of which are as follow:

That on the afternoon of the 31st of December last, one of his squadron, then on a cruize in the Channel, made the signal for spying a fleet, which he immediately ordered to be chaced by his whole squadron; and that in a few hours he came within hail of it, and found it to be a fleet of 17 sail of Dutch and American merchantmen, under convoy of the Dutch admiral Bylant, with two ships of the line and two frigates. Commodore Fielding immediately ordered a barge out, and sent his captain on board the Dutch admiral, with his compliments, and begged to know where that fleet was bound; at the same time requesting permission to search the merchantmen, agreeable to his instructions:—The admiral sent his captain back with a very respectful answer, informing the commodore, that the Dutch men of war were bound to different stations in the West-Indies, and the merchantmen for various ports of France; most of which he acknowledged were laden with hemp and iron, but none with timber or cordage; but that he must beg to be excused from permitting their being searched, as his orders were equally positive to the contrary. Commodore Fielding returned for answer, that he hoped the admiral would think better of it the next morning, when he should be under the necessity of renewing the application. The two fleets passed the night in company, and at day-break next morning (Jan. 1.) the commodore sent his captain again with a more pressing message, adding, at the same time, that search the vessels he must at all hazards. The Dutch admiral's reply was, That he was sorry matters were likely to be brought to such extremity, for that on boats attempting to board any of his vessels, he should not fulfil his duty without firing upon them.—About ten o'clock therefore the English commodore ordered a boat from every ship to be manned, and to row down to them with colours flying, which was instantly complied with; but no sooner did the Dutch admiral perceive the boats bearing down, than he fired a shot at them: commodore Fielding immediately fired a shot a-head of the Dutch admiral from the Namur, which the latter returned with a broad-side; on this the Namur and Vigilant fired each a broad-side at the Dutch flag-ship from their upper and middle tiers, when the Dutch admiral struck his flag, as did the rest of his squadron and fleet. Fortunately, no lives were lost on either side.

Commodore Fielding immediately sent an officer on board the admiral, requesting him to hoist his flag again and pursue his voyage, since he (the commodore) had fulfilled his duty in capturing the merchant vessels, which he must carry into port.

The admiral returned for answer, That he thought himself bound to share the same fate with his convoy, and should therefore proceed with them; but if the commodore would make his request in writing, that he should hoist his colours, he would certainly comply with it: this being immediately done, the Dutch admiral and his squadron displayed their colours, and saluted the English flag with thirteen guns, which was returned by commodore Fielding; who immediately after proceeded with the merchantmen, and four Dutch ships of war, for Spithead.

The fleet consisted of 27 sail of merchantmen, but ten of them parted company the night before they were seen by the English squadron.

Another account says, that by the broad-side fired in return for the Dutch one received, 16 or 17 Dutchmen were killed.

Paul Jones was not in company with the above fleet, as is reported, but sailed out of the Texel in a foggy night about a fortnight ago in a single ship (the Alliance;) and from the Dutch admiral's account went north about, to avoid the frigates that were cruising for him.

Another account says, Paul Jones sailed from the Texel with the above, but is put into Dunkirk.

As soon as the above intelligence was received at the admiralty, a copy of the dispatches were sent to count Welderen, the Dutch ambassador.

The king of Prussia has lately granted permission to some British officers to raise seamen in the ports of his dominions, for the service of the court of London.

They write from Cadiz, that the Serieux and the Don Philip, two Spanish frigates, which had on board 4000 fire arms and ammunition, bound from Monti Christi, are lost at sea in a gale of wind, and all on board perished.

Last night it was reported the Romney, commodore Johnston, fell in on the 28th ultimo in latitude 47. north, with a register ship, laden with bullion; which, after a broad-side from the commodore, struck. Touching at Fyal, she took in the ore which had been unloaden from the Spanish frigate, taken some time ago by captain Salter of the Hussar.

Jan. 11. Admiral Rodney has taken an American and a French privateer in the chops of the Channel in consort.

It is said, that the Dutch received full payment for all the stores that were shipped under the convoy of admiral Bylandt before they sailed. The French agent at the Hague, Mr. Henniker, came under application to indemnify the Dutch for all possible loss.

Monday some dispatches were received by government from Holland, on which account a privy council is to meet by summons after the levee at St. James's to-morrow.

Orders were on Saturday sent down to Portsmouth not to unbend the Dutch ships taken by captain Fielding, and brought in there, until further orders; and also that the crews of the said ships be provided with necessary provisions, so long as they stay there.

PHILADELPHIA, *April* 5.

Extract of a letter from Edenton, North-Carolina, March 19.

"The last accounts from Charles-Town say, That a body of the enemy were on James's Island, and that Sir Harry had demanded a surrender of the town, which was refused. The general opinion is, that he will neither scare nor flatter them out of it."

Edenton, March 23, 1780.

"By a gentleman in 15 days from Charles-Town we learn, the enemy had erected a battery upon James's Island, and had tried their guns (which were supposed to be 18 pounders) but their balls fell very short of the town. Afterwards our frigates went and destroyed their works.—He also says, the enemy's numbers do not exceed 5000, and ours amount to 7000. The people in Charles-Town are under no apprehension of losing it."

Sunday last arrived here the brig Holker, captain Lawler, in thirteen days from St. Eustatia.

ANNAPOLIS, *April* 14.

On Friday last, the 7th inst. departed this life, in the thirty-second year of her age, juſtly lamented by all who knew her, Mrs. SARAH CRAUFURD, the worthy conſort of David Craufurd, Eſq; member of the houſe of aſſembly, from Prince-George's county, Maryland.

To every ſocial virtue, which adorns womankind, were ſuperadded, the endearing accompliſhments of an affectionate wife, a tender mother, a ſtedfaſt friend, and indulgent miſtreſs. Theſe happy endowments, which characteriſed her during life, ſhone forth with redoubled luſtre, in her laſt ſtage, and enabled her to ſuſtain a painful, and lingering illneſs, with a degree of fortitude and reſignation, known to few; and which could only emanate from her future expectations of a "better life" due to her chriſtian virtues. Of her may be truly ſaid, that, during her mortal period, ſhe never gave an affectionate huſband, "pain, but when ſhe died," nor had one thought beyond the power of diffuſing goodneſs around her. But alas! ſhe's now no more!

Her remains were interred on Sunday evening, accompanied by a numerous collection of unfeigned mourners.

In every ſtage of life, her virtues ſhone,
Belov'd, reſpected, but how ſudden gone!
Ah, why did heaven, deny a longer ſtay,
Muſt worth, be barely ſhewn, and ſnatcht away!
Yet let my muſe, her aching ſorrows ſpeak,
Much for her own, but more her family's ſake.
Now in thoſe happy manſions, deign to throw
A pitying eye, upon your friends below;
And take theſe tears, "mortality's relief"
'Tis all an huſband, child, or friend can give.

By his EXCELLENCY
THOMAS SIM LEE, Eſquire,
GOVERNOR of MARYLAND,
A PROCLAMATION.

THEREBY appoint Wedneſday the 26th day of April next, to be obſerved throughout this ſtate, as a day of faſting, humiliation, and prayer, agreeably to the annexed recommendation of congreſs.

GIVEN at Annapolis, this 13th day of April, in the year of our lord one thouſand ſeven hundred and eighty.

THO. SIM LEE.

By his EXCELLENCY's command,
T. JOHNSON, junior, ſec.

GOD SAVE THE STATE.

"IT having pleaſed the righteous governor of the world, for the puniſhment of our manifold offences, to permit the ſword of war ſtill to harraſs our country, it becomes us to endeavour, by humbling ourſelves before him, and turning from every evil way, to avert his anger and obtain his favour and bleſſing: it is therefore hereby recommended to the ſeveral ſtates,

That WEDNESDAY the twenty-ſixth day of April next, be ſet apart and obſerved as a day of FASTING, HUMILIATION and PRAYER, that we may with one heart and one voice implore the ſovereign lord of heaven and earth to remember mercy in his judgments; —to make us ſincerely penitent for our tranſgreſſions;—to prepare us for deliverance, and to remove the evils with which he hath been pleaſed to viſit us;—to baniſh vice and irreligion from among us, and eſtabliſh virtue and piety by his divine grace;—to bleſs all public councils throughout the United States, giving them wiſdom, firmneſs and unanimity, and directing them to the beſt meaſures for the public good;—to bleſs the magiſtrates and people of every rank, and animate and unite the hearts of all to promote the intereſt of their country;—to bleſs the public defence, inſpiring all commanders and ſoldiers with magnanimity and perſeverance, and giving vigour and ſucceſs to the military operations by ſea and land;—to bleſs the illuſtrious ſovereign, and the nation in alliance with theſe ſtates, and all who intereſt themſelves in the ſupport of our rights and liberties;—to make that alliance of perpetual and extenſive uſefulneſs to thoſe immediately concerned, and mankind in general; to grant fruitful ſeaſons, and to bleſs our induſtry, trade and manufactures;—to bleſs all ſchools and ſeminaries of learning, and every means of inſtruction and education;—to cauſe wars to ceaſe, and to eſtabliſh peace among the nations.

"And it is further recommended, That ſervile labour and recreations be forbidden on the ſaid day.

"DONE in CONGRESS the eleventh day of March, in the year of our lord one thouſand ſeven hundred and eighty, and in the fourth year of our independence.

SAMUEL HUNTINGTON,
Atteſt. Preſident."
CHARLES THOMSON, Secretary.

To be SOLD by the ſubſcriber, at his dwelling plantation, on the 27th day of April, 1780,

ALL the ſtock of horſes, hogs, ſheep, and cattle, together with the plantation utenſils, for ready money only. As I intend leaving this ſtate very ſoon, thoſe who have any demands againſt me will bring in their accounts for ſettlements, and likewiſe thoſe who are indebted to him will immediately diſcharge theirs, as very little indulgence will be granted by,

1 (wf) ANDREW LEIPER.

Prince-George's county, St. Paul's pariſh, March 30, 1780.

WANTED a clergyman of the church of England. Any gentleman who will apply and approved by the veſtry, they will engage to give annually twenty thouſand pounds of tobacco, and the uſe of a ſmall glebe.

Signed per order,
1 (w) LEONARD WARING, regiſter.

THERE is at the plantation of Stephen Rawlings, taken up as a ſtray, a bright bay mare, about ſeven years old, is neither docked, nor has any perceptable brand or ear mark, about 13 hands high. The owner may have her again on proving property and paying charges.

Somerſet county, April 4, 1780.

NOTICE is hereby given, that I intend to petition the next general aſſembly, for a road to lead from the main road leading from Princeſs-Anne to the lower ferry, to the plantation whereon David Megrath formerly lived, and now in the poſſeſſion of

2 8w MARY WAGGAMAN.

Caroline county, Maryland, March 22, 1780.

THIS day was committed to my cuſtody a negro man named BEN; he formerly belonged to a certain Philip Wilſon, of Philadelphia. His preſent maſter is deſired to come, pay charges, and take him away.

w3 2 HENRY DOWNES, ſheriff.

WHEREAS, colonel Edward Sprigg, late of Prince-George's county, deceaſed, having, by his laſt will and teſtament, directed his executrix to ſell and diſpoſe of part of a tract of land, lying in Frederick county, called, Addition to Piles's Delight, before the firſt day of June after his deceaſe, for the payment of his debts; and whereas his executrix, through ſickneſs and inability of body, could not attend to as to make ſale thereof by the time limited in the ſaid will, ſhe hereby gives this public notice, that after a continuance of this advertiſement eight weeks in the public papers, ſhe intends to petition the general aſſembly for an act empowering her now to diſpoſe of the ſaid land, in order to enable her to make a final ſettlement of the eſtate of the ſaid teſtator.

8w 6 MARY PINDELL, executrix.

LAWS of MARYLAND, paſſed November ſeſſion, 1779, may be had at the printing-office. 2

ONE HUNDRED DOLLARS REWARD.

January 6, 1780.

RAN away from the ſubſcriber's plantation, about ſeven miles from Annapolis, on the main road leading from thence to Baltimore, on Monday the 21ſt day of December laſt, a likely young NEGRO man, named TOM, about five feet eight inches high, a ſtout well ſet fellow with thick lips, and his legs rather large: had on when he went away, a light coloured country made cloth jacket, with a red ſhort waiſtcoat under it, a pair of light coloured country cloth breeches, and alſo took with him a pair of leather breeches, dark coloured yarn ſtockings, and two pair of ſhoes. It is apprehended that he may have endeavoured to get over into Virginia, from whence he was brought when a ſmall boy and was then the property of John Morton Jordan, Eſq; deceaſed. Whoever will apprehend the ſaid negro, and bring him to the ſubſcriber, ſhall receive the above reward if taken in Maryland, and if out of Maryland a further reward of one hundred dollars, beſides all reaſonable charges, paid by

10 X ELIZABETH SCOTT.

WANTED IMMEDIATELY
in the city of Annapolis,

A PERSON properly qualified to take the tuition of youth, in Latin, arithmetic, and to read and write Engliſh. It is propoſed to create a fund for his ſupport, which is intended to be very liberal, and every way adequate to the times; the expences of his board will be defrayed, and a ſchool-houſe found. The number of pupils not to exceed twenty.

A proficient in the claſſics is moſt deſired, yet ſhould no ſuch one offer himſelf in a ſhort time, any perſon of a good character, and qualified in the other branches above mentioned, will be accepted. Apply to

tf 3 ELIE VALLETTE.

March 4, 178[illegible]

STOLEN out of the ſtable of the ſubſcriber at his quarter near the city of Annapolis, the night of the twentieth day of February laſt, a cheſnut ſorrel MARE, about thirteen hands three inches high, eight or nine years old this ſpring, ſtaxen mane and tail, one hind foot white, branded on the near buttock CD, paces and gallops, and carries her head when in a very low. Any perſon who will give information, or ſecure the ſaid mare ſo that the owner may have her again, ſhall receive one hundred dollars, and if brought home one hundred and fifty dollars, and any perſon ſecuring the thief ſo as he may be brought to juſtice, ſhall receive a reward of one hundred dollars, paid by

tf 4 WILLIAM WATSON.

TAKEN up ſome time in January laſt, between the Bodkin and Mountain Run, three Hogſheads of tobacco, the hogſheads almoſt without heading, and part of the tobacco loſt. The owner, upon proving property and paying all charges, may have the tobacco by applying to John Tradgall, on the Seven Mountains, near the mouth of Magothy. Alſo at ſame time and near the ſame place, were taken up, two hogſheads, much hurt, and a great part of the tobacco loſt. The owner, upon proving property as above, may have the tobacco by applying to William Trowell, near the Bodkin. 4 6w

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At Whitehall, on the north ſide of Severn, the YOUNG TRAVELLER will cover mares this ſeaſon, at two guineas each, to be paid before covering, or as much continental currency as will at the time purchaſe two guineas; eight dollars to the groom. He is a bright bay horſe, fifteen hands high, was got by colonel Lloyd's Traveller, which was got by Hampton's Traveller, whoſe dam was called Jenny Cammeron, imported by colonel Taylor of Virginia. Young Traveller's dam was got by Gorge's Juniper, his grand dam by Morton's Traveller, and his great grand dam by the Godolphin Arabian.

Good paſturage for mares, at ſix dollars a week, but I will not be anſwerable for any that may be loſt.

tf 4 WILLIAM YELDELL.

Annapolis, March 30, 178[illegible]

THE COMMITTEE of GRIEVANCES and COURTS of JUSTICE will ſit to do buſineſs in the committee room, every day, from eleven in the forenoon till four in the afternoon, during the preſent ſeſſion of the general aſſembly.

3 Signed by order of the committee,
A. GOLDER, clk. com.

WILD AIR.

STANDS this ſeaſon at the head of Weſt River, and will cover mares at three hundred dollars each, and ten dollars to the groom. The money to be paid before the horſe is taken out of the ſtable. He is a dark bay, upwards of fifteen hands and an half high, he was got by Mr. Delancey's imported horſe Wildair, his dam by Ariel, his grandam by Othello, his great grandam a barb, his ſire was got by Old Cade, his grand ſire by the Godolphin Arabian.

N. B. Paſturage at ten dollars a week, but will not be anſwerable for any that may be loſt.

w3 9 X JOHN JOHNSON.

A PETITION will be offered to the next ſeſſion of the general aſſembly after this notice ſhall have been publiſhed eight weeks, for an act to empower the ſubſcriber (now a minor) to make a good and ſufficient deed of conveyance, for certain tracts of land lying in Charles county, which he inclines to make ſale of.

4 8w HARRISON MUSGRAVE.

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